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10/688,349	10/17/2003	Fred S. Cook	1626	2283
28004	7590	10/06/2005	EXAMINER	
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			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/688,349

Applicant(s)

COOK ET AL.

Examiner

REXFORD N. BARNIE

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
REXFORD BARNIE  
PRIMARY EXAMINER

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bushnell (US 2002/0067816) in view of Bierman et al. (US Pat# 5,761,279) and Sawyer et al. (US Pat# 6,324,271).

Regarding claim 1, Bushnell teaches a system and method for delivery profile information relating to a caller which can include images, sound or other multimedia contents in (section 0009, 0011, 0024, 0030, 0031, 0058, 0063) in part based on the called party's number and teaches the possibility of incorporating this teaching into an ISDN (section 0032).

Arguably, the transmitted information could be digital (0032, 0035, 0036, 0073, 0046, 0032). The possibility of incorporating his teaching within a packet network or ISDN environment is taught as a possibility.

For the sake of argument, Bierman teaches a visual calling person display wherein digital image or content can be displayed to a called party in (see col. 2 line 8-46, col. 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Bierman into that of Bushnell

thus making it possible to identify who a calling party may be even when using a calling terminal not associated with the calling party inferred from (col. 2 and col. 4 of Bierman).

The combination fails to teach encryption/decryption of identification or within a caller identification network system.

Encryption/decryption is notoriously well known when transmitting identification data.

Sawyer et al. teaches a system and method for authentication of caller identification wherein cryptographic technology can be employed to guard against interloper or fraud in (see col. 2 lines 35-42, lines 53-62, col. 4 lines 57-col. 5 line 25, col. 6 lines 28-30, col. 8).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Sawyer into that of the combination thus making it possible to provide protection against fraud.

Regarding claims 2-5 and 8-13, The combination including Bierman for instance teaches that digital images can be presented to a called party and the called party's terminating switch can query a network element for caller ID, also taught by Bushnell. Furthermore, the examiner takes official notice that it's known to organize data in a table or organized format for simplicity during retrieval of data.

Regarding claims 6, 14 and 22, The combination including Bushnell teaches that a user can enter an ID and password to configure the images to be displayed to a called party in (see fig. 6) as associated with a calling party. The combination including

Bierman teaches using a code in conjunction with another identifier (ANI) to identify a calling party to a called party in (see col. 4).

Regarding claim 7, Bushnell teaches a system and method for delivery profile information relating to a caller which can include images, sound or other multimedia contents in (section 0009, 0011, 0024, 0030, 0031, 0058, 0063) in part based on the called party's number and teaches the possibility of incorporating this teaching into an ISDN (section 0032). Arguably, the transmitted information could be digital but for the sake of argument, Bierman teaches a visual calling person display wherein digital image or content can be displayed to a called party in (see col. 2 line 8-46, col. 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Bierman into that of Bushnell thus making it possible to identify who a calling party may be even when using a calling terminal not associated with the calling party inferred from (col. 2 and col. 4 of Bierman).

The combination fails to teach encryption/decryption of identification or within a caller identification network system.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Sawyer into that of the combination thus making it possible to provide protection against fraud.

Regarding claim 15, see the explanation as set forth regarding claims above because the combination including Bushnell and Bierman teaches a computer system which would function based on a software means.

Regarding claims 16-21, The combination including Bierman for instance teaches that digital images can be presented to a called party and the called party's terminating switch can query a network element for caller ID, also taught by Bushnell. Furthermore, the examiner takes official notice that it's known to organize data in a table or organized format for simplicity during retrieval of data.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bushnell (US 2002/0067816) in view of Bierman et al. (US Pat# 5,761,279) and Peng (US Pat# 6,553,110).

Regarding claim 1, Bushnell teaches a system and method for delivery profile information relating to a caller which can include images, sound or other multimedia contents in (section 0009, 0011, 0024, 0030, 0031, 0058, 0063) in part based on the called party's number and teaches the possibility of incorporating this teaching into an ISDN (section 0032).

Arguably, the transmitted information could be digital (0032, 0035, 0036, 0073, 0046, 0032). The possibility of incorporating his teaching within a packet network or ISDN environment is taught as a possibility.

For the sake of argument, Bierman teaches a visual calling person display wherein digital image or content can be displayed to a called party in (see col. 2 line 8-46, col. 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Bierman into that of Bushnell thus making it possible to identify who a calling party may be even when using a calling terminal not associated with the calling party inferred from (col. 2 and col. 4 of Bierman).

The combination fails to teach encryption/decryption of identification or within a caller identification network system.

Encryption/decryption is notoriously well known when transmitting identification data.

Peng teaches as selective telephone caller identification service in (see col. 2 lines 64-67, col. 4 lines 17-25, lines 43-48, lines 56-57, col. 5 lines 17-22) wherein encryption/decryption can be used to guard against fraud monitoring.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Peng into that of the combination thus making it possible to provide protection against fraud.

Regarding claims 2-5 and 8-13, The combination including Bierman for instance teaches that digital images can be presented to a called party and the called party's terminating switch can query a network element for caller ID, also taught by Bushnell. Furthermore, the examiner takes official notice that it's known to organize data in a table or organized format for simplicity during retrieval of data.

Regarding claims 6, 14 and 22, The combination including Bushnell teaches that a user can enter an ID and password to configure the images to be displayed to a called party in (see fig. 6) as associated with a calling party. The combination including Bierman teaches using a code in conjunction with another identifier (ANI) to identify a calling party to a called party in (see col. 4).

Regarding claims 16-21, The combination including Bierman for instance teaches that digital images can be presented to a called party and the called party's terminating switch can query a network element for caller ID, also taught by Bushnell. Furthermore, the examiner takes official notice that it's known to organize data in a table or organized format for simplicity during retrieval of data.

Regarding claim 7, Bushnell teaches a system and method for delivery profile information relating to a caller which can include images, sound or other multimedia contents in (section 0009, 0011, 0024, 0030, 0031, 0058, 0063) in part based on the called party's number and teaches the possibility of incorporating this teaching into an ISDN (section 0032).



Arguably, the transmitted information could be digital (0032, 0035, 0036, 0073, 0046, 0032). The possibility of incorporating his teaching within a packet network or ISDN environment is taught as a possibility.

For the sake of argument, Bierman teaches a visual calling person display wherein digital image or content can be displayed to a called party in (see col. 2 line 8-46, col. 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Bierman into that of Bushnell thus making it possible to identify who a calling party may be even when using a calling terminal not associated with the calling party inferred from (col. 2 and col. 4 of Bierman).

The combination fails to teach encryption/decryption of identification or within a caller identification network system.

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Peng teaches as selective telephone caller identification service in (see col. 2 lines 64-67, col. 4 lines 17-25, lines 43-48, lines 56-57, col. 5 lines 17-22) wherein encryption/decryption can be used to guard against fraud monitoring.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Peng into that of the combination thus making it possible to provide protection against fraud.

***Response to Arguments***

Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **REXFORD N. BARNIE** whose telephone number is 571-272-7492. The examiner can normally be reached on M-F 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on (703) 305-4708. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRIMARY EXAMINER  
REXFORD BARNIE  
10/01/05

  
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